

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

UNITED STATES OF AMERICA

Respondent,

v.

CRIMINAL ACTION NO. 3:02-00095-02
(CIVIL ACTION NO. 3:04-0243)

JAMES DONALD HATTEN,


Movant.

ORDER

This action was referred to the Honorable Maurice G. Taylor, Jr., United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court deny Movant's request for relief pursuant to 28 U.S.C. § 2255. Neither party has filed objections to the Magistrate Judge's findings and recommendation.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge, **DENIES** Movant's request for relief pursuant to 28 U.S.C. § 2255, and **DISMISSES** this action from the docket of the Court. The Court **DIRECTS** the Clerk to send a certified copy of this Order to Magistrate Judge Taylor, counsel of record, and any unrepresented parties.

ENTER: July 20, 2006



ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE